

BORA LASKIN LAW LIBRARY



3 1761 03344 8242

**LAW AND DEVELOPMENT**  
**PROFESSOR MICHAEL TREBILCOCK**  
**AND**  
**PROFESSOR KEVIN DAVIS**  
**1998/99**  
**VOLUME TWO**

**Faculty of Law**  
**University of Toronto**

**These materials are not be considered as published.**  
**They are for the sole educational use of students at the Faculty of Law,**  
**University of Toronto.**

BORA LASKIN LAW LIBRARY

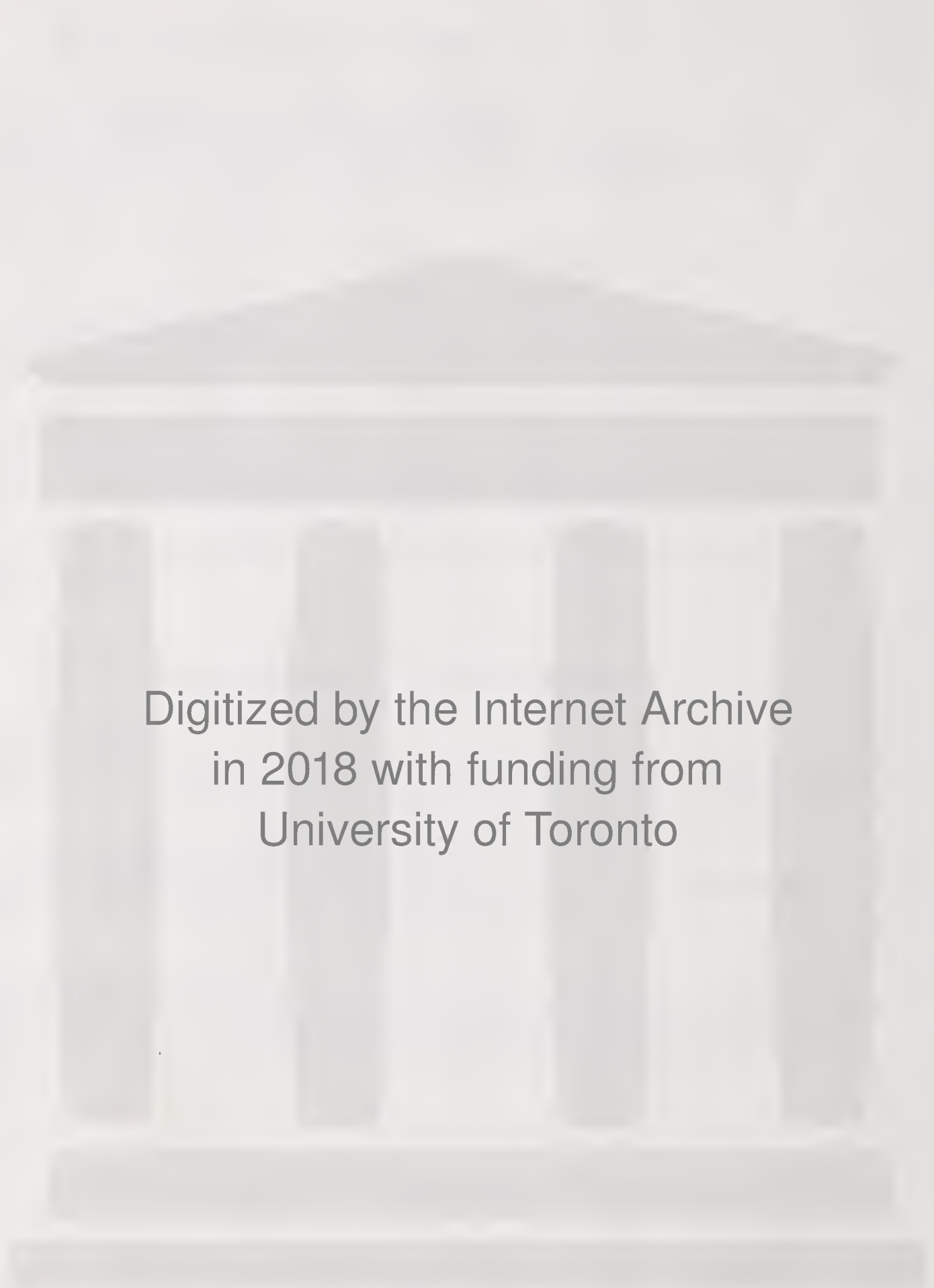
OCT 27 1998

FACULTY OF LAW  
UNIVERSITY OF TORONTO

**LAW AND DEVELOPMENT**  
**PROFESSOR MICHAEL TREBILCOCK**  
**AND**  
**PROFESSOR KEVIN DAVIS**  
**1998/99**  
**VOLUME TWO**

**Faculty of Law**  
**University of Toronto**

**These materials are not be considered as published.**  
**They are for the sole educational use of students at the Faculty of Law,**  
**University of Toronto.**



Digitized by the Internet Archive  
in 2018 with funding from  
University of Toronto

[https://archive.org/details/lawdevelopment02treb\\_0](https://archive.org/details/lawdevelopment02treb_0)

# LAW AND DEVELOPMENT

## TABLE OF CONTENTS

### VOLUME TWO

#### **8. CORRUPTION AND DEVELOPMENT**

Rose-Ackerman, S. "Corruption and Development", *Annual World Bank Conference on Development Economics* 1997, p. 35-57. .... 8-1

Klitgaard, R. "Curbing Government Corruption", *Adjusting to Reality* (San Francisco: ICS Press, 1991), p. 115-138. .... 8-35

#### **9. ETHNIC CONFLICT AND DEVELOPMENT**

##### A. Dynamics of Ethnic Conflict

###### • General

Bardhan, P. "Method in the Madness? A Political-Economy Analysis of Ethnic Conflicts in Less Developed Countries", Mimeo. .... 9-1

###### • Trading Elite

Chua, Amy. "Markets, Democracy and Ethnicity: Toward a New Paradigm for Law and Development" *Yale Law Journal*, Forthcoming, (1998), p. 1-7, 29-56, 95-96. .... 9-40

Fafchamps, M. "Ethnicity and Markets: Supplier Credit in African Manufacturing, Mimeo, April 1996, p. 1-8, 24-25, 30-42. .... 9-77

##### B. Overcoming Ethnic Conflict

Klitgaard, R. *Adjusting to Reality* (San Francisco: ICS Press, 1991) p. 169-229. .... 9-104

#### **10. PROPERTY RIGHTS AND THE ENVIRONMENT**

##### A. Introduction: Property Rights and Efficiency

Eggertsson, T. "The State in Neoinstitutional Economics", *Economic Behavior and Institutions*, (Cambridge: Cambridge UP, 1990), Chapter 10, p. 317-348. .... 10-1

Fleisig, H. "Secured Transactions: The Power of Collateral", *Finance and Development*, June 1996, p. 44-46. .... 10-19

##### B. Issues in Land Reform

Jodha, N.S. "Property Rights and Development", *Hanna, S. et al., eds., Rights to Nature: Ecological, Economic, Cultural, and Political Principles of Institutions for the Environment* (Washington, D.C.: Island Press, 1996).. .... 10-22

Trebilcock, M. "Communal Property Rights in Papua New Guinea" 1984 *University of Toronto Law Journal*, p. 387-400. .... 10-30

##### C. Environmental Protection

Survey: "Development and the Environment, *Economist*, March 21, 1998. .... 10-38



## 11. TAX POLICY AND ADMINISTRATION

Kerr, G. "Effective Tax Collection in Less Developed Countries", Mimeo, April 1998.

Bird, R.M. "Tax Administration and Tax Reform: Reflections on Experience", *International Bank for Reconstruction and Development, Tax Policy in Developing Countries*, J Khalilzadeh-Shirzai, Anwar Shah eds., (Washington, D.C.: World Bank, 1991), p. 38-56. .... 11-52

## 12. CORPORATE GOVERNANCE, FINANCE, SMES AND MICRO-ENTERPRISE

### A. The Need for Financial Intermediaries

Gertler, M. and Rose, A. "Finance, Public Policy and Growth", Caprio, G. et al., eds., *Finance Reform: Theory and Experience*, (Cambridge: Cambridge U.P., 1994), p. 19-34. .... 12-1

Schiantarelli, F. et al., "Credit Where it is Due", *Financial Reform*, p. 64-80. .... 12-17

### B. Financing the Large Firm: Banks and Stock Markets

#### • Banks

Survey on Banking in LDCs, "Fragile, Handle With Care", "The Four to Fear", "Capital Punishment", *Economist*, April 1997. .... 12-26

Articles "South Korea: The End of the Miracle", p. 21-23. "Asia: Meanwhile, Back Where the Wagons are Circling", *Economist*, November, 29, 1997, p. 41-42. .... 12-35

#### • The Role of Stock Markets

Levine, R. "Stock Markets: A Spur to Economic Growth", *Finance and Development*, March 1996. .... 12-40

Singh, A. "The Stock Market, Economic Efficiency and Industrial Development", Arestis, P. and Chuli, V. eds. *Finance, Development and Structural Change: Post-Keynesian Perspectives* (Addershot: Edmund Elgar, 1995), p. 71-81; 89-107. .... 12-44

### C. SMEs

#### • The Missing Middle

Grosh, B. and Somolekae, G. "Mighty Oaks from Little Acorns: Can Microenterprise Serve as the Seedbed of Industrialization?", *World Development* 1996, Vol 24, No. 12, p. 1879-1888. .... 12-59

Campos, J. and Root H., *The Key to the Asian Miracle*, p. 60-64. .... 12-71

### D. The Microenterprise/Informal Sector

#### • The Informal Sector

Charmes, J. "A Critical Review of Concepts, Definitions and Studies in the Informal Sector", Turnham D. et al., *The Informal Sector Revisited* (Paris: OECD, 1990), p. 17-28. .... 12-74

- Micro-Credit  
 "From Sandals to Suits", *Economist* February 1, 1997. .... 12-84
- Siebel, H. "From Cheap Credit to Easy Money", Bouman, F.J.A. and Hospes, O. *Financial Landscapes Reconstructed: The Fine Art of Mapping Development* (Boulder: Westview Press, 1994). .... 12-85
- "Successful Rural Financial Institutions", *Finance and Development*. .... 12-98
- Jazairy, I. et al. *The State of World Rural Poverty: An Inquiry into its Causes and Consequences*, (London: International Fund for Agricultural Development, 1990), p. 174-176; 210-213. .... 12-102

### 13. INTERNATIONAL TRADE, FOREIGN INVESTMENT AND INTELLECTUAL PROPERTY RIGHTS

#### A. International Trade

Trebilcock, M. and Howse, R. "Trade and Developing Countries", *The Regulation of International Trade* (2<sup>nd</sup> ed., 1998) Forthcoming, Chapter 12, p. 301-330. .... 13-1

#### • B. Foreign Direct Investment

IFC, *Trends in Private Investment in Developing Countries: Statistics for 1970-94*, (Washington, D.C.: World Bank, 1995). .... 13-34

United Nations Centre on Transnational Corporations, "Relations Between Host Developing Countries and Transnational Corporations", *Transnational Corporations in World Development: Trends and Prospects* (New York: UN, 1988), Chapter XIX, p. 314-329. .... 13-36

- Dunning, J. "Re-evaluating the Benefits of Foreign Direct Investment", UNCTAD, *Transnational Corporations and Investment: Companies Without Borders in the 1990s*, (London: International Thomson Business Press, 1996). .... 13-53

Bhattacharya, A. et al., "Can Sub-Saharan African Attract Private Capital Flows", *Finance & Development* June 1997, p. 3-6. .... 13-62

Safa, H. "Where the Big Fish Eat the Little Fish: Women's Work in the Free-Trade Zones", *NACLA Report on the Americas*, March/April 1997, p. 31-36. .... 13-66

"Union-Organizing Breakthroughs in Central American Maquila Sector", "Workers of the World Unite", *NACLA Report on the Americas*, May/June 1997, p. 1-2; 5. .... 13-72

Trebilcock, M. and Howse, R. *The Regulation of International Trade* (2<sup>nd</sup> ed., 1998) Forthcoming, Chapter 12. .... 13-76

## 14. THE ROLE OF FOREIGN AID AND INTERNATIONAL INSTITUTIONS

### A. Foreign Aid Trends

"Developing Countries Get More Private Investment, Less Aid", *Finance and Development* June 1997, p. 36-37. .... 14-1

Excerpts of Canadian Aid Flows *Canadian Development Report*, 1996-1997, (North-South Institute 1996), p. 98-99; 104-115. .... 14-3

Islam, S. "Pass the Buck: OECD Overhauls Aid to Focus Aid on Poverty", *Far Eastern Economic Review*, February 13, 1997. .... 14-17

### B. The Effectiveness of Foreign Aid

Boone, P. "Politics and the Effectiveness of Foreign Aid, *European Economic Review* 40 (1996), p. 289-329. .... 14-19

### C. The World Bank: Where to Next?

#### • Environmental Criticisms

Rich, B. "Decade of Debacles", *Mortgaging the Earth: The World Bank, Environmental Impoverishment, and the Crisis of Development*, (Boston: Beacon Press, 1994), p. 25-48. .... 14-30

#### • Internal Governance

Raffer, K. and Singer H. "Political Conditionality-Illustrating Double Standard", *The Foreign Aid Business: Economic Assistance and Development Cooperation* (Cheltenham: Edward Elgar, 1996), p. 168-80. .... 14-43

#### • Moving to the Market

"Thoroughly Modern Sisters", *Economist* July 23, 1994, p. 18+. .... 14-50

Caulfield, C. "Sibling Rivalry", *Masters of Illusion: The World Bank and the Poverty of Nations* (NY: Henry Holt, 1996), p. 278-287. .... 14-51

Stockhouse, J. "IMF Chief Envisions Truly Global Future", *The Globe and Mail*, Friday, September 19, 1997. .... 14-57

### D. Bilateral Aid: Political Conditionality

Hewitt, A. and Killick, T. "Bilateral Aid Conditionality and Policy Leverage", *Foreign Aid Toward the Year 2000*, p. 130-165. .... 14-61